

REMARKS

Applicants greatly appreciate the reconsideration of the restriction requirement and the consideration of claims 19-40. The Examiner is thanked for this.

Attached hereto is a Terminal Disclaimer over parent patent 6,074,732.

Reconsideration and withdrawal of the double patenting rejection is requested.

Also attached hereto is the Declaration of inventor Marc Rehfeld explaining that the data in Figure 3 of the original specification were calculated for 20 °C. This Declaration complies with M.P.E.P. 608.04(a), and attests to the fact that the data included in Figure 3 refer to 20 °C. As such, the amendment to the specification at page 13 adds no new matter. Rather, it describes further the conditions under which the original data were provided. In addition to supporting the amendment to the specification, this Declaration, along with the original specification and claim 31, support the preferred embodiment described in new Claim 41. See for example specification page 7, lines 9-12, which specifically notes a frequency of 50 Hz and a temperature range of 10-60 °C, which is inclusive of 20 °C as used in Figure 3. Accordingly, no new matter has been added.

Claims 19 and 30 were rejected under 35 U.S.C. 103 over Von Alpen, and claims 36-40 were rejected under 35 U.S.C. 112. While applicants disagree with these rejections, these claims have been cancelled herein in order to expedite the allowance and issuance of this case.